



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Edgardo Garcia

SUBJECT: SEE BELOW

DATE: September 27, 2016

Approved

Date

9/27/16

**SUBJECT: SAN JOSE POLICE DEPARTMENT SWORN STAFFING AND
DISCUSSION OF OPTIONS TO ADDRESS THE UNPRECEDENTED LOW
SWORN STAFFING LEVELS IN THE PATROL DIVISION**

RECOMMENDATION

Review and discuss San José Police Department overall sworn staffing levels and discussion of options to address the unprecedented low sworn staffing levels in the Patrol Division.

OUTCOME

This overview of the sworn staffing challenges faced by the San José Police Department will provide information and allow discussion on the various options to resolve staffing challenges, both in the immediate and long term. This discussion will include the report on the San José Police Department use of outside law enforcement agencies (Item 8.1b) and the Audit of Police Overtime (Item 8.1c) posted with this agenda.

BACKGROUND

On August 30, 2016, City Council adopted a resolution and memorandum for an emergency declaration under the Meyers-Milias-Brown Act (“MMBA”) based on the unprecedented low staffing levels in the Patrol Division of the San José Police Department, to proceed with an immediate shift rebid for the redeployment of police officers from other assignments to patrol, which took place effective September 11, 2016.

In order to ensure the City’s ability to provide public safety services, including staffing patrol, the Department has relied on police officers volunteering, or being mandatorily assigned, for overtime patrol shifts. This is in addition to police officers being routinely held over, or mandated to work additional hours at the end of their regularly assigned shift to provide the necessary coverage. Unfortunately, these steps had been insufficient to cover the gaps in patrol staffing, which led to

the emergency determination under the MMBA in order to timely proceed with the shift rebid process and subsequently engage in the meet and confer process with the San José Police Officers' Association (POA).

On August 31, 2016, the Rules and Open Government Committee agendaized for the October 4, 2016, City Council meeting "San José Police Department Staffing and Discussion of Options to Address the Unprecedented Low Staffing Levels in the Patrol Division." As outlined in the August 25, 2016, memorandum from the City Manager, this report and the resulting discussion will focus on various options to resolve sworn staffing challenges, both in the immediate and long term. Staff also recommended combining the report on the use of outside law enforcement agencies and the City Auditor's Office Audit of Police Overtime with this report to look comprehensively at the issue.

ANALYSIS

This report will provide an overview of current sworn staffing levels, sworn staffing projections, recruiting and hiring efforts, and current crime trends; as well as discuss measures the Police Department has taken and options it can deploy to address the unprecedented sworn staffing shortages.

Sworn Staffing Levels

For the past three years, the City's budget has provided for 1,109 sworn officers. However, the Police Department has been unable to reach this staffing level, and in fact, has continued to experience a steady decline in actual staffing levels over the last several years due to position vacancies.

When comparing the current year-to-date to the two prior years, the Department's net sworn staffing in September 2014, was at 1,006, which included 62 in academy training and field training; putting street-ready sworn officers at 944; compared to current staffing as of September 15, 2016, with net sworn staffing at 912 and street-ready sworn officers at 881. Street-ready sworn officers are those who have completed academy and field training and are available to serve as solo beat officers. When excluding sworn staff not available to serve on patrol due to being on disability, modified duty, or leave of absence, there were 878 full duty sworn officers in September 2014 compared to 806 in September 2016 (see Table 1 below).

Table 1: Police Department Staffing Levels

Actual Sworn Staffing Levels Three Year Comparison			
	As of 9/11/14	As of 9/10/15	As of 9/15/16
Authorized Sworn Staffing	1,109	1,109	1,109
Less Sworn Vacancies	(103)	(171)	(197)
Net Sworn Staffing	1,006	938	912
Less Recruits/ Field Training	62	52	31
Street-Ready Sworn	944	886	881
Less Disability/Modified Duty/Leave of Absence	66	45	75
Actual Full Duty	878	841	806

The declining staffing is attributable to a large range of issues, including difficulties in recruitment, more sworn staff reaching retirement age, and increasing resignations with officers leaving for other jurisdictions or for opportunities outside of law enforcement. Since January 2012, there have been 205 retirements and 306 resignations/other separations offset by 26 rehires/reinstatements over the period, resulting in net total attrition of 485 sworn staff members. It should be noted that the attrition trend has slowed; as of September 22, 2016, there have been 27 retirements and 16 resignations/other separations offset by two rehires/reinstatements, for net attrition of 41 positions so far during the 2016 calendar year (see Table 2 below). In 2016, there are another 56 sworn staff eligible to retire based on years of service and age; however, to date only 15 have submitted paperwork to retire.

Table 2: Police Department Historical Sworn Attrition

Historical Sworn Attrition 2012-2016						
	2012	2013	2014	2015	2016*	Total
Retirements	37	35	42	64	27	205
Resignation-Training	1	34	32	19	7	93
Resignations	68	49	40	36	7	200
Other Separations	2	1	3	5	2	13
Sub Total	108	119	117	124	43	511
Rehire / Reinstatements	-9	-6	-5	-4	-2	-26
Total Attrition	99	113	112	120	41	485

*as of September 22, 2016

Sworn Staffing Projections

To project future staffing levels, staff analyzed past years' data, current trends, and reviewed measures implemented by the City Administration and City Council that might impact the staffing scenarios. Assumptions included in the staffing projections reflect the most current trends related to retirement and retention levels, as well as anticipated sworn hiring levels under three scenarios. Retirement projections are based on the number of staff eligible to retire (using age and years of service) in the next several years and those that have submitted retirement paperwork in the most current year. Retention is based on current trends. For example, in 2015-2016, the rate at which sworn staff resigned from the Department dropped to an average of one to two resignations per month from an average of four per month in 2014-2015.

With respect to recruiting, the Police Department continues to maintain a goal of placing a minimum of 45 recruits in each academy (and can accommodate up to 60 recruits); however, the most recent academies have started with lower numbers than anticipated. The average number of recruits in Academies SJ21 through SJ28 is 20. While the Department has made 36 job offers for the upcoming Academy SJ28, it is difficult to predict whether this recent increase for SJ28 will continue, and is contingent upon the outcome of the November 2016 election.

Table 3 below provides a scenario that summarizes projected staffing levels assuming the status quo, based on the current trends and assumptions noted above. The projection assumes an average of 20 recruits per Academy (the average of SJ21 through SJ28). In addition, staff assumes, based on recent trends, that each academy will lose approximately 15% of the recruits during the transition from Academy to the Field Training Program (FTO) and approximately 15% from FTO to street-ready. Under Scenario 1, based on current attrition and hiring, street-ready sworn staffing declines from the projected September 2016 level of 877 sworn staff to 833 sworn staff by July 2019. Bearing in mind that the Department has an average of 6.5% of its sworn staff on disability leave, modified duty or other leave of absences at any given time, the projected full duty sworn available is projected to be 802 at the end of September 2016, compared to 779 in July 2019.

Table 3: Sworn Staffing Projection Scenario 1

Sworn Staffing Projection Based on Current Attrition & Hiring (20 Recruits in each Academy)				
	Projected Staffing			
	Sep-16	Jul-17	Jul-18	Jul-19
Authorized Sworn Staff	1,109	1,109	1,109	1,109
Sworn Vacancies	(201)	(188)	(201)	(219)
Projected Net Sworn Staffing	908	921	908	890
Field Training Officer/Recruits	31	71	57	57
Projected Street-Ready Sworn	877	850	851	833
Less: Average of 6.5% Disability/ Modified Duty/Leave of Absence	75	55	55	54
Projected Full Duty Sworn	802	795	796	779

With the recent work between the City, the Department and the POA to resolve these difficult staffing issues and the placement of Measure F on the November 2016 ballot, the Department has seen a slowing in the number of resignations and retirements, as well as increased interest from potential recruits and from sworn staff who left the City but wish to explore returning to San José pending outcome of Measure F on the November 8, 2016 ballot. Measure F is a ballot measure that would amend the San José City Charter to change employee retirement contributions and benefits, and retiree healthcare benefits for City of San José employees and retirees.

While the Scenario 1 projection assumes variables will remain consistent with recent trends, Measure F will have an impact on staffing levels regardless if it fails or passes. If Measure F fails, there will be a significant impact on recruitment, as well as current staffing levels. The number of resignations is expected to rise to a level similar to 2013 through 2015 of four to five per month. Table 4 provides a scenario that summarizes the estimated implications on the staffing levels of sworn officers in the Police Department if Measure F fails. Scenario 2 assumes resignations will resume at an average of four to five staff per month and academy classes will drop to 12 recruits per academy, which is the average of Academies SJ24 through SJ27. Under the Measure F Failing scenario, street-ready sworn staffing significantly declines from projected levels at the end of September 2016 of 877 sworn staff to 705 sworn staff by July 2019; or a projected 659 full duty sworn by July 2019, when considering an average of 6.5% of sworn are on disability leave, modified duty or other leave of absences.

Table 4: Sworn Staffing Projection Scenario 2

Sworn Staffing Projection Based on Measure F Failing (12 Recruits in each Academy)				
	Sep-16	Projected Staffing		
		Jul-17	Jul-18	Jul-19
Authorized Sworn Staff	1,109	1,109	1,109	1,109
Sworn Vacancies	(201)	(231)	(299)	(370)
Projected Net Sworn Staffing	908	878	810	739
Field Training Officer/Recruits	31	55	34	34
Projected Street-Ready Sworn	877	823	776	705
Less: Average of 6.5% Disability/ Modified Duty/Leave of Absence	75	53	50	46
Projected Full Duty Sworn	802	770	726	659

While nationally recruiting for law enforcement is challenging, the Police Department has taken many steps to set itself up for success. The Department is ready and able to take up to 60 recruits in each of the academies and has established and implemented a recruiting plan, which is outlined below. If the framework for changes in the pension plan is implemented after the November 2016 election, San José will be a competitive employer again with benefits on par with other law enforcement agencies. As early as fall of 2017, the Department projects that it will see the impact of these changes in sworn hiring numbers.

There are several impacts expected with the passing of Measure F; these include, a better candidate pool in recruitment; current staff working past their eligible retirement date; fewer resignations; and hiring a minimum of 45 recruits in each academy class moving forward. Table 5 below provides another scenario that summarizes projected staffing levels if Measure F passes, which has been adjusted to include the impacts noted. In addition, there is an expectation that sworn staff who previously left the Department would return and the Department would again be able to recruit and hire lateral officers from other agencies.

Under Scenario 3, Measure F Passing, street-ready sworn staffing increases from the projected September 2016 level of 877 sworn staff to 1,043 sworn staff by July 2019; or a projected 975 full duty sworn when considering an average of 6.5% of sworn are on disability leave, modified duty or other leave of absences. Given these assumptions, projected filled sworn positions are expected to reach the current authorized level of 1,109 in October 2018. However, as part of the 2016-2017 budget development process, the Department received an additional 41 sworn positions effective March 2018, bringing the total authorized to 1,250 sworn. Based on Scenario 3, projected staffing will reach the new authorized level of 1,250 after July 2020.

Table 5: Sworn Staffing Projections Scenario 3

Sworn Staffing Projection Based on Measure F Passing (45 Recruits in each Academy)				
	Projected Staffing			
	Sep-16	Jul-17	Jul-18	Jul-19
Authorized Sworn Staff	1,109	1,109	1,109	1,109
Sworn Vacancies	(201)	(132)	(16)	58
Net Sworn Staffing	908	977	1,093	1,167
Field Training Officer/Recruits	31	102	131	131
Subtotal Street-Ready Sworn	877	875	962	1,036
Add: Lateral Hires		7	7	7
Add: Rehires		20		
Projected Street-Ready Sworn	877	902	969	1,043
Less: Average of 6.5% Disability/ Modified Duty/Leave of Absence	75	59	63	68
Projected Full Duty Sworn	802	843	906	975

Recruiting and Hiring Efforts

A Recruiting Plan (or Plan) was developed specifically to address the immediate needs of the Department and to reach the goal of recruiting diverse and qualified candidates reflective of our community. The Plan will be continually reviewed for effectiveness and revised to ensure best practices are implemented. Verbal reports on Police Department Recruitment Activity are provided to the Public Safety, Finance, and Strategic Support Committee every other month as part of the Police Department Operations and Performance Bimonthly Report. The Department issues a more

in-depth written report on recruiting to the Committee semi-annually (next scheduled for the October 20, 2016 meeting).

The Department's Recruiting Unit has been diligently working to reach higher numbers of qualified and diverse candidates through known and traditional methods, such as attending job fairs, military, college, community, and cultural events, as well as using traditional and new media. The recent improvement in the number of candidates selected for Academy 28 starting in October 2016 can be attributed to an improved and targeted recruiting plan (outlined below). Table 6 provides a summary of the recruiting and hiring efforts from Academy 22 in October 2014 to Academy 28 scheduled to begin October 2016.

Table 6: Recruiting & Hiring

	Recruiting & Hiring						
	Academy 22 October 2014	Academy 23 February 2015	Academy 24 June 2015	Academy 25 October 2015	Academy 26 February 2016	Academy 27 June 2016	Academy 28 October 2016
Hired	22	22	16	10	7	17	36
Graduated	19	18	14	10	7	--	--

The Department's Recruiting Plan is built on best practices and incorporates prior direction from the City Council. On December 1, 2015, the City Council accepted the City Auditor's audit "Police Hiring: Additional Efforts to Recruit Qualified Candidates Urgently Needed to Fill Vacancies" and the Administration's Response to the audit. The Council also approved two memoranda regarding police hiring: a memorandum signed by Mayor Sam Liccardo, Vice Mayor Rose Herrera, and Councilmembers Chappie Jones, Raul Peralez, and Manh Nguyen; and a memorandum from Councilmember Tam Nguyen.

Below is an overview of the strategies and efforts taken in developing and implementing the Police Department's Recruiting Plan and respond to the Council direction from December 1, 2015 and the memorandum from the Mayor, Vice Mayor, and Councilmembers that has not already been addressed through the Public Safety, Finance and Strategic Support Committee regular agenda items

- a. *Specific steps to increase the number of qualified applicants who are women or persons of color, incorporating outreach and marketing to underrepresented community groups, particularly within Santa Clara County:*
 - i. *Strategies to Expand the Law Enforcement Unit Cadet Program:*

The Department is formulating an operational plan to convert the existing successful Police Cadet program from a volunteer-based to a paid employee-based program. The goal is to expand opportunities and incentives for youth interested in

law enforcement careers to get involved with SJPd and to develop a pipeline to becoming a police officer. In order for this to occur, a new city employment classification needs to be created. The Department is working with Human Resources to create a new classification. Once completed, the Administration can evaluate funding impacts and implementation plans and bring forward recommendations as part of the 2017-2018 Budget process.

- ii. *Assessment of outreach to diverse communities, by partnering with local leadership to help SJPd recruitment efforts:*

The Department has long recognized and supported the value of partnerships with all members of the community, including residents, visitors, various interest groups, and local leadership. By partnering with community leaders and groups, officers are given the opportunity to build relationships and foster trust, building a foundation of understanding between officers and the community.

Currently, partnerships with community leaders are facilitated through the Chief's Community Advisory Board, made up of various local community leaders. The Department has been and will continue to conduct targeted outreach to leaders representing the diverse residents of San José.

- iii. *Marketing of the salary bonus enhanced by the 2015 POA Agreement for second-language fluency:*

The Department is currently utilizing television, radio, print media, digital media, and billboards, as well as e-mail campaigns to bolster recruiting efforts. Job postings and other printed materials provide a list of benefits, to include bilingual pay and the most recent salary bonus.

Vendors and locations were selected to reach the highest number of intended audiences, as well as geographic targets; ensuring areas with high Hispanic and Asian populations were selected. The Department is also maximizing its use of social media and other internet tools to appropriately market the positive changes in agreements between the City and POA, which will encourage more applicants representative of the City's demographics to apply to become a San José Police Recruit.

- iv. *Strategies and measurement of results specific to sub-categories of applicants that satisfy community-specific needs in the Department, such as Vietnamese and Spanish speakers, women, and youth.*

The Department continues to seek ways to enhance recruiting efforts and expand the hiring of qualified candidates. Staff plans to build on recent successes and provide more SJPd community outreach events to reach the audiences listed above.

Table 7 provides the initial measurement since implementation of the Plan with data regarding the ethnic and gender self-identification of recruits from the October 2015 and February 2016 academies.

Table 7: Police Academy Demographics

Demographic	Voluntary Self-Identification	Percentage
Gender	Female	11.8%
	Male	88.2%
	Undisclosed	0.0%
Ethnicity	American Indian or Alaskan Native	0.0%
	Asian	29.4%
	Black or African American	0.0%
	Hispanic or Latino	29.4%
	Native Hawaiian or Other Pacific Islander	0.0%
	Undisclosed	5.9%
	White	35.3%

Source: City of San José Human Resources, October 2015 and February 2016 police academies.

b. An assessment of how the application process can be streamlined for applicants.

The Department has made a number of changes to improve and streamline the application process for applicants:

- Potential recruits can now complete an on-line application at job fairs and other hiring venues. The application is completed by the applicant at the event; if they have questions or are unsure about their response, the Police Recruiter is immediately available to assist. This not only reduces redundant paperwork for both the applicant and the Department, but also accelerates the process by submitting the application directly from the job fair location to the Department's Personnel Unit to begin processing;
- The Department has added a third Academy and implemented a continuous application process, which allows for backgrounds to be conducted on an ongoing basis, rather than holding in batches to complete for the next Academy date; this also shortens the time period from date the application is submitted to date of entry into the Academy;
- Recruiting Unit staff provides ongoing mentoring throughout the application process, providing pre-test seminars and practice dates for both the written, physical agility, and oral board testing phases; all-in-one-weekend testing; and ride-along opportunities.

- The Recruiting Unit's new website, which is in the development process, will provide an improved application process designed to be more user-friendly and efficient;
 - The Department has partnered with the Behavioral Insights Team, a global organization that uses insights from academic research in behavioral economics and psychology to improve public services, on a project to enhance communication with applicants and keep them engaged and interested in becoming a San José Police Officer. This project is a partnership with the Office of Civic Innovation and the What Works Cities initiative, which is funded by Bloomberg Philanthropies.
- c. *As assessment of whether additional measures, such as altering the sequence of physical conditioning testing, might enable more people to succeed in meeting fitness standards:*

The Department is working with the applicant pool to help individuals be successful throughout the testing and hiring process and, to that end, has made some changes in the testing process. The SJPD Academy is mandated by the Peace Officer Standards and Training (POST) Commission's requirements, including a pass point score for the POST Work Sample Test Battery (WSTB) testing, which includes five events that are the foundation of the POST-required fitness level to pass the Police Academy. Because the Department uses the WSTB score to gauge the fitness level of a potential candidate, to accept an applicant without knowing their basic fitness level for the entry exam could result in losing that candidate somewhere in the hiring and training process. There must be a basic level or foundation of fitness known for someone to successfully pass the Police Academy.

The Department recognizes that during Academy training, applicants will improve their fitness through the Lifetime Fitness Course provided during training. To compensate for this and to increase the numbers of eligible applicants, the Department adjusted the pass point number downward by approximately -16%, based on past experience of applicants improving their fitness abilities through the Academy due to the physical training regimen. Now, recruits are required to bring up their final scores to the mandated POST required "pass point" by the end of the Academy. This adjustment has worked successfully and has served to allow applicants sufficient time to enter the Academy and improve their fitness scores to pass the POST requirement for graduation from the Academy.

- d. *Specific outreach to veterans, particularly upon the Department's adoption of requirements that will allow the substitution of military service for college credit.*

On March 18, 2016, the Department announced the acceptance of military time in lieu of education benefit for veterans of the Armed Forces. Potential recruit candidates with an honorable discharge from the United States military, including the Air Force, Army, Navy, Marines and Coast Guard, can now substitute four years of active duty military service for the Department's education requirement of 40 semester college credits or 60 quarter college credits.

The Department has been actively maximizing its use of internet outreach tools to reach potential applicants who are military veterans and has partnered with a number of military-transition groups. Recruiters actively seek out and attend military job fairs and events. Job postings on military-specific websites have been updated to reflect this new benefit for military veterans. Initial results have been promising based on applications received after the March 2016 announcement:

Table 8: Military Recruiting Results

Military Veteran Applications Received	
2/1/16 – 2/29/16	57
3/1/16 – 3/31/16	76
4/1/16 – 4/30/16	87
5/1/16 – 5/31/16	63
6/1/16 – 6/30/16	63
7/1/16 – 7/31/16	47
8/1/16 – 8/31/16	45
9/1/16 – 9/15/16	18

- e. *One-time bonus for existing officers who recruit candidates to serve in the San José Police Department.*

In recognition of the significant concerns related to the recruitment and retention of Police Officers, the City is exploring the development of a Police Officer Recruitment Incentive Program. The program would provide an incentive award to active police officers, sergeants, lieutenants, and captains for referring friends who are interested in becoming police officers. This Council referral is subject to the meet and confer process with the POA. The Administration and the POA are currently in the midst of negotiations over a successor Memorandum of Agreement, including the Police Officer Recruitment Incentive Program.

Crime Trends

The San José Police Department has had a long and proud tradition of delivering police services to the residents of San José in an efficient, effective and proactive manner. As the Department has focused on responding to 911 calls, detective positions within the Bureau of Investigations (BOI) have gone unfilled and the level of service in BOI has shrunk commensurately. The elimination of police investigators has a significant impact on crime control and public safety. The first two lines of the core mission of the San José Police Department is to “Promote Public Safety” and to “Prevent, Suppress, and Investigate” crimes. Staffing reductions in BOI significantly affect the Department’s ability to fulfill this core mission of investigating crimes.

In 2011-2012, BOI received 56,491 cases. Of these 6,988 cases were not assigned due to lack of investigative resources; this meant that 12.4% of all incoming cases received no further investigation due to lack of manpower. Comparatively, in 2015-2016 a total of 56,448 cases were

received. Of these, 15,052 cases (or 26.7% of the cases received by BOI) were closed due to lack of investigative resources and went uninvestigated beyond the patrol level. In addition, 5,252 cases were closed due to the lack of any viable leads, increasing the overall percentage of cases that were not investigated to approximately 36%.

In light of staffing reductions throughout the Police Department over the last several years, the Department has had to prioritize the work performed by sworn and civilian personnel. The first priority has been to ensure that calls-for-service from the public are answered by uniformed police officers. This has led to some difficult decisions, such as redeploying positions or leaving positions unfilled in areas outside of patrol, including a significant reduction of detectives from the BOI, a temporary reduction of officers assigned to specialized units, and in some cases the modification or elimination of specific units, such as Horse Mounted Unit, Vice Enforcement, and the Graffiti Unit.

As difficult as it is to state, with less personnel comes less service delivery. Core services must be provided in patrol. In other words, when citizens call 911, officers must be available to respond. The Department must prioritize or triage how officers are dispatched to respond to calls-for-service. This prioritization attempts to ensure that officers are available to respond to the most critical events wherein there is an imminent danger to life (Priority 1), followed by an in-progress crime where there are injuries or potential for injuries or the suspect is still present (Priority 2), followed by a crime that has just occurred and there is potentially property damage and the suspect has most likely left the scene (Priority 3). When determining a prioritization for investigating crime, the Department prioritizes responding to violent crimes against persons, followed by crimes against property. This is balanced with solvability factors, such as viable leads that officers can follow up on.

As staffing resources continue to diminish, the question has become: What is the appropriate allocation of the sworn staffing throughout the organization to accomplish the mandates of the Police Department? This has required the Police Department to be creative and flexible in developing programs and processes to help address these issues.

Measures Taken to Address Staffing Needs

The Police Department has implemented many programs department-wide to attempt to maintain appropriate levels of staffing in patrol. Appropriate staffing serves two purposes: First, it helps to ensure there are enough officers to assist each other when dealing with challenging or violent situations (oftentimes referred to as officer-safety considerations); and second, appropriate staffing allows the Police Department to respond to calls-for-service in a more expedient manner. The more officers working patrol, the more quickly officers can respond to both high priority calls involving violence or threats of violence, as well as lower priority calls.

The Department has been struggling with staffing levels for a long time. The current staffing crisis is made worse because it comes on top of a decade of cuts during a time when the City experienced year after year of budget shortfalls. These cuts included the unprecedented layoff of 65 police officers, as well as reductions in the numbers of command staff (captains and lieutenants) and sergeants.

The Department has worked creatively to address shortfalls in staffing. Some efforts have been more successful than others, while others were implemented for a time then reassessed. For example, the Department consolidated to three police divisions, then returned to four divisions due to the workload on patrol captains and negative impacts on the ability to respond effectively to patrol needs and community concerns.

Below is a summary of the actions the Department has taken and strategies the Department has put in place since 2010 to ensure that patrol staff is available to respond to calls for service and to protect officer safety:

- Redeployed staffing from units outside of the beat structure to patrol
- Implemented the Flex Program to require officers who work in assignments outside of the Bureau of Field Operations to work patrol shifts
- Utilized patrol overtime pay cars to backfill vacancies
- Utilized overtime pay cars to address prostitution, burglary, and quality-of-life crimes
- Contracted with Matrix Consulting Group to conduct Staffing Study, to study current deployments, hours and make recommendations
- Civilianized sworn positions
- Implemented a Community Service Officer program
- Reduced Services, including no longer responding to unverified burglar alarms, or non-injury vehicle accidents (unless the vehicle is blocking traffic or a crime involved)
- Created the Contact-to-Completion program for patrol officers to follow-up on burglary investigations
- Created overtime slots in BOI for detectives on their day off to proactively pursue investigations
- Redeployed the night and day detective positions to patrol division
- Reduced and redeployed the Traffic Enforcement Unit
- Redeployed the Canine Unit to patrol division
- Reinstated the Violent Crimes Enforcement Team two years ago with 10 Officers and two Sergeants in the Gang Suppression Unit
- Implemented mandatory patrol shift holdovers
- Implemented the mandatory overtime program in patrol
- Redeployed Airport Division officers back to patrol and staffed the Airport with overtime officer pay cars
- Reduced available time off in patrol
- Reduced training to mandated training only, such as those POST mandates for certification or assignment
- Limited the number of promotions, as it has a direct impact on patrol positions
- Implemented on-line crime reporting,
- Emergency determination under the MMBA for immediate shift rebid to reallocate staffing for the September 2016 shift

Options to Address the Unprecedented Low Level of Sworn Staffing

The strategies outlined above have been created primarily as a result of the reductions in staffing. The discussion surrounding staffing and these approaches go hand-in-hand as, through the years, the Department has worked to address staffing issues by creating new strategies or adjusting and building on previously successful strategies. The Department's future strategies hinge on one key factor: the success of Measure F on the November ballot.

The Department has worked diligently to address low staffing levels over the last few years through a variety of methods. The Department has also recently contracted with an outside company, Matrix Consulting Group, to study current and future projected staffing. Regardless of the outcome of the election, Matrix will evaluate the Department's current deployment model and options for potential change. The Matrix study will evaluate both the Patrol Division (including sworn and Community Service Officer staff) and the Bureau of Investigations. The analysis is expected to be completed and a report given to Public Safety, Finance, and Strategic Support Committee in fall 2017. The Department will continue its aggressive recruiting efforts and will continually evaluate staffing levels in order to provide the best customer service possible to the San José community while the Matrix study is underway.

However, depending on the outcome of the Measure F election, additional strategies will be employed to address the low level of sworn staffing. If Measure F is successful, the Department will be able to more proactively partner with the POA on a major expansion of the recruiting effort. The Department will be able to more easily reach out to officers who have left the Department in recent years and to recruits who expressed interest in San José but chose to go to other jurisdictions in a concerted effort to bolster the City's sworn staffing. The Department will be able to more readily expand the recruiting of lateral officers from other law enforcement agencies.

If Measure F fails, San José's sworn staffing levels are likely to drop even further. Recruitment will continue to be a major challenge. Relying on outside law enforcement agencies to assist is not an option, as noted in the staff report for Item 8.1b. The California Highway Patrol and Santa Clara County Sheriff are experiencing sworn vacancies of their own. While the Department will continue to work with neighboring agencies through established mutual aid protocols, expecting to deploy their resources regularly on San José streets is not a viable scenario. Instead, the Police Department will be required to completely restructure operations, focusing patrol, and concentrating investigative resources on homicides and other violent crime. There will be little staffing left to allow for community policing, proactive and preventive efforts, or to address quality-of-life crimes.

Further explanation and impacts of these strategies, as well as more specific answers to the questions regarding the crime trends and deployment strategies will be discussed at the October 4, 2016 City Council meeting.

PUBLIC OUTREACH

This memorandum will be posted on the City's website for the October 4, 2016, City Council Agenda.

COORDINATION

This memorandum has been coordinated with the Office of Employee Relations and the City Attorney's Office

COMMISSION RECOMMENDATION/INPUT

No commission recommendation or input is associated with this action.

CEQA

Not a Project, File No. PP10-069(a), Staff Reports.

/s/
EDGARDO GARCIA
Chief of Police

For questions please contact Michael Knox, Deputy Chief of Police, at (408) 537-1603.